

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 09-285 (JRT/JJK)

Plaintiff,

v.

**ORDER ON REPORT AND
RECOMMENDATION**

NUARL STEPHON EARL,

Defendant.

Nathan Petterson and Kevin Ueland, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for plaintiff.

Lyonel Norris, Assistant Federal Defender, **OFFICE OF THE FEDERAL DEFENDER**, 300 South Fourth Street, Suite 107, Minneapolis, MN 55415, for defendant.

Based upon the Report and Recommendation of the United States Magistrate Judge Jeffrey J. Keyes dated March 3, 2010, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Defendant's Pretrial Motion to Suppress Evidence [Docket No. 37], is **DENIED**;
2. Defendant's Pretrial Motion to Suppress Eyewitness Identification [Docket No. 38], is **DENIED**; and

3. Defendant's Pretrial Motion to Suppress Evidence Obtained as a Result of Search and Seizure [Docket No. 39], is **DENIED**.

DATED: April 6, 2010
at Minneapolis, Minnesota.

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge